

**TOWN OF ELSMERE
BOARD OF ADJUSTMENTS
MEETING MINUTES**

**July 28, 2009
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Board Member Patricia Boyd – Present
Board Member James Personti – Present
Board Member John Smith – Present
Board Member Thomas Manuel – Present
Chairman Paul Chalfant – Absent

OLD BUSINESS:

None

NEW BUSINESS:

The Board of Adjustment Reviewed Petition 09-07 tax parcel number 1900-200-162 known as 2 Elsmere Blvd.

Code Enforcement Officer Keith Brown stated that he has spoken to Mr. John Bai whom is the property and has determined that since the property is tagged as Condemned to be demolished the Town has determined that it will drop all instant tickets that have been issued since that notice was posted. It is not fair to the property owner to tag his house to be demolished and issue him \$50.00 fines every few days.

The Board of Adjustment Reviewed Petition 09-09 tax parcel number 1900-200-193 known as 30 Elsmere Blvd.

The Applicant was not present at the time their petition was presented.

ACTION: Motion was made by Board Member Smith to deny petition 09-09 requesting an appeal to 6 citations issued to the property 30 Elsmere Blvd. The motion was seconded by Board Member Boyd.

VOTE: All in favor Vote: 4-0 with 1 Absent Motion Carried

APPROVAL OF MINUTES:

Minutes from the June 23, 2009 Board of Adjustment Meeting

ACTION: A motion was made by Board Member Smith to approve the minutes of the June 23, 2009 Board of Adjustments Meeting. The motion was seconded by Board Member Personti.

VOTE:

All in favor Vote: 3-0 with 1 Absent, 1 Abstained Motion Carried

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

Town Manager John Giles introduced the newest member Ms. Patty Boyd and mentioned that Chairman Chalfant is sick and will be out for an unknown amount of time and that Board Member Personti will be taking his seat as acting chairman of the Board. He also stated that there are no new updates to the comprehensive plan.

Board Member Smith has asked that the reasons for the Planning Commissions denial is placed on the Memorandum sent to the Board.

NEW BUSINESS:

The Board of Adjustment Reviewed Petition 09-09 tax parcel number 1900-200-193 known as 30 Elsmere Blvd.

ACTION: Motion was made by Board Member Smith to reopen petition 09-09 for discussion, applicant arrived and stated that the front door to Town hall was locked (this was verified by the Town Manager.) The motion was seconded by Board Member Boyd.

VOTE: All in favor Vote: 4-0 with 1 Absent Motion Carried

Mr. Ali Abdullah owner of 30 Elsmere Blvd. He stated that at the time that the citations were issued he as a landlord was out of the country and had no way of knowing that there was a problem at the property. He stated that it became apparent that the lawnmower at the property was not working. He stated that they were not ignoring the citations at the property, he was not even aware of them until the property owner returned to the country.

Board Member Personti stated that he had visited the property several days prior to the hearing and noticed that the grass was high again.

Mr. Abdullah stated that he did not believe this was true he has contracted someone to cut the grass at the property.

Officer Keith Brown stated that he rode by the property prior to the meeting and the grass did not appear to be 8 inches high.

Board Member Personti asked if the only copy given to the property is left at the residence itself.

Officer Keith Brown stated that we also mail a copy of the citation to the address on record.

Officer Keith Brown read a memorandum out loud regarding a review of the application for the record. This stated that the appeal request was not filed within the appeal deadline.

ACTION: Motion was made by Board Member Smith to deny petition 09-09 requesting an appeal to 6 citations issued to the property 30 Elsmere Blvd. The motion was seconded by Board Member Boyd.

VOTE: All in favor Vote: 4-0 with 1 Absent Motion Carried

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Board Member Smith to adjourn. The motion was seconded by Board Member Boyd.

VOTE:
All in favor Vote: 4-0 with 1 Absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the July 28, 2009 Board of Adjustment Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

JAMES PERSONTI, ACTING CHAIRMAN

JOHN SMITH, ACTING SECRETARY